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<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/782,137	CARPENTIER ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Kuen S. Lu	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 10/18/2007.
2. ☒ The allowed claim(s) is/are 7, 9, 10, 11, 35 and 38 (renumbered to 1-6).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

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|--|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 5. <input type="checkbox"/> Notice of Informal Patent Application  |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>12/19/2007</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____    | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                           |
|  | 9. <input type="checkbox"/> Other _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

1. This Action is responsive to Applicant's Request for Continued Examination filed October 18, 2007. Acknowledged is Applicants' amendments made to claims 7 and 9, withdrawal of claims 1-5, 13-14, 16-33, cancellation of claims 6, 8, 12, 15, 34 and 36-37 and new additions of claims 34-38.

2. After a thorough search and examination of the present application, and in light of the following:

the prior art made of record;

Examiner's Amendments amending claims 34 and 36-37; and

Examiner's update search conducted against prior art on different domains;

Claims 7, 9-11, 35 and 38 (renumbered to 1-6) are allowed.

### ***Examiner's Amendments***

3. An Examiner's Amendments to the record appears below. Authorization for this Examiner's Amendments, listed below, was given in a telephone interview with Mr.

Jonathan O. Scott (Registration: 39,364), on December 19, 2007. A copy of the interview summary is attached.

4. Please amend claims 34 and 36-37 filed October 18, 2007 as follow:

34. (Canceled)

36. (Canceled)

37. (Canceled)

***Reason for Allowable***

5. In the Examiner's Office Action for Final Rejection of June 1, 2007, 35 U.S.C. 35 U.S.C. § 103, rejection was based on a primary reference by Shinoda et al.: "NETWORK CACHING SYSTEM FOR STREAMED APPLICATIONS", U.S. Patent Application 2001/0027450, filed March 19, 2001 and published October 4, 2001, hereafter "Shinoda"; and in view of Shah et al.: "METHOD OF DETECTING CHANGED CONTENTS", U.S. Patent Application 2003/0009538, filed November 6, 2001 and published January 9, 2003, hereafter "Shah".

In the response filed on October 18, 2007, the Applicants argued that Claim 7 requires **retrieving a unique identifier-verification hash value pair from a data structure associated with said database by using said unique identifier, wherein said retrieved verification hash value has been previously derived from said stored file using a verification hash function, said retrieved verification hash value being different from said unique identifier;**

and further argue that the unique identifier for the stored file along with the verification hash value for the stored file are stored together, as a pair, in a data structure associated with the database. Applicants further argued that neither Shah, nor Shinoda teaches the element required by the sole independent claim 7.

After further examining the references of Shah and Shinoda references in Examiner is persuaded that the references or their combination does not fairly teach the subject matter as described above, specifically that **retrieving a unique identifier-verification hash value pair from a data structure associated with said database by using said unique identifier, wherein said retrieved verification hash value has been previously derived from said stored file using a verification hash function, said retrieved verification hash value being different from said unique identifier.**

Also after further review of the result for the searches conducted for the instant application, the above described subject matter of instant application as amended by an Examiner's Amendments of December 19, 2007, and further consideration of the above two references, the Examiner is persuaded that the prior art does not teach the above described subject matter in the independent claim 7.

An update search as described below for the claims 7, 9-11, 35 and 38 as of lastly amended on October 18, 2007 by an Examiner's Amendments for the subject application amended on December 19, 2007, is hereby conducted and whose search

result is hereby considered.

A search for the prior arts on EAST database has been recently conducted to further extend and update the scope the searches conducted over the past on domains (EAST, NPL-ACM, Google, NPL-IEEE). The prior arts searched and investigated in domains (EAST, NPL-ACM, Google, NPL-IEEE) do not fairly teach or suggest the teaching of the combined elements as claimed in the independent claim 7.

The dependent Claims 9-11, 35 and 38, depending upon claim 7, also distinct from the prior art.

6. Any comments considered necessary by Applicants must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

***Contact Information***

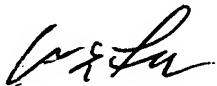
7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Kuen S. Lu whose telephone number is (571)-272-4114. The examiner can normally be reached on Monday-Friday (8:00 am-5:00 pm). If attempts to reach the examiner by telephone pre unsuccessful, the examiner's Supervisor, John Cottingham can be reached on (571)-272-7079. The fax phone number for the organization where this application or proceeding is assigned is 571-

Art Unit: 2167

273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for Page 13 published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-27-9197 (toll free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, please call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Kuen S. Lu,



Patent Examiner, Art Unit 2167

December 19, 2007